IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 20TH APRIL 2007 / 30TH CHAITHRA 1929

Bail Appl..No. 2408 of 2007()

CC.321/1994 of CHIEF JUDL.MAGISTRATE, ERNAKULAM
.....

: PETITIONER/ACCUSED

SIDHARTAN.K.P.,
KAWAPPALLIL HOUSE, AROOR P.O.

BY ADV. SRI.R.KRISHNA RAJ

RESPONDENTS:

STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV.SHRI. SIVAKUMAR, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T.SANKARAN, J.

B.A. No. 2408 of 2007

Dated this the 20th day of April, 2007

O R D E R

Petitioner is the accused in CC No. 321/1994 on the file of the Court of Chief Judicial Magistrate, Ernakulam. The offence alleged against him is under Section 138 of the Negotiable Instruments Act. The Trial Court, after trial, acquitted the petitioner. The acquittal was set aside in appeal. The appellate court directed the parties to appear before the Trial Court on 06/04/2006. It is stated that the petitioner is employed outside Kerala and he was not aware of the date of posting on 06/04/2006. The petitioner was absent and non-bailable warrant was issued against him.

2. In the facts and circumstance of the case, there will be direction to the Chief Judicial Magistrate, Ernakulam to release the petitioner on bail on his surrender before the Court, on such condition as may be deemed fit and proper by the learned Magistrate.

This Bail Application is allowed as above.

(**K.T.SANKARAN, JUDGE)**

jg